

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP - 8 2008

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 21 2008

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* __F.Supp.2d__ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

A CERTIFIED TRUE COPY

SEP - 8 2008

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

ENTERED

SEP - 8 2008

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

SCHEDULE CTO-1 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA MIDDLE

ALM 2 08-616

Doris Hughes v. Actavis Totowa, LLC, et al.

ALABAMA NORTHERN

ALN 2 08-1271

Bobbie Dyal, et al. v. Actavis Group hf, et al.

CALIFORNIA CENTRAL

CAC 5 08-892

Richard Platzner, et al. v. Actavis Group hf, et al.

CAC 5 08-893

Shannon Darby v. Actavis Group hf, et al.

CAC 8 08-676

Richard Spangle v. Actavis Group hf, et al.

CALIFORNIA EASTERN

CAE 2 08-1670

Patricia J. Harmon v. Actavis Totowa, LLC, et al.

CALIFORNIA NORTHERN

CAN 3 08-3173

Dephlia Davis, et al. v. Actavis Group hf, et al.

CALIFORNIA SOUTHERN

CAS 3 08-980

Frank Grady, et al. v. Actavis Totowa, LLC, et al.

INDIANA SOUTHERN

INS 1 08-910

Jerry J. Losh v. Actavis Totowa, LLC, et al.

KANSAS

KS 6 08-1145

Peter J. Konek v. Actavis, Inc., et al.

LOUISIANA EASTERN

LAE 2 08-3699

Joseph L. Barrow, et al. v. Actavis Group hf, et al.

LAE 2 08-4029

James E. Freeman, et al. v. Actavis Group hf, et al.

LAE 2 08-4088

J. Kenneth Jewel v. Actavis Group hf, et al.

LOUISIANA MIDDLE

LAM 3 08-310

David Longmire, et al. v. Actavis Group hf, et al.

LOUISIANA WESTERN

LAW 5 08-880

Florence Pierce, et al. v. Actavis Group hf, et al.

MICHIGAN EASTERN

MIE 2 08-12898

Anthony Harris, et al. v. Actavis Totowa, LLC, et al.

MDL No. 1968 - Schedule CTO-1 Tag-Along Actions (Continued)**DIST. DIV. C.A. #****CASE CAPTION****NEBRASKA**

NE 8 08-326

Karen Sheahan, et al. v. Actavis Totowa, LLC, et al.

NEW JERSEY

NJ 2 08-2943

Marion Roy, etc. v. Actavis Group hf, et al.

NJ 2 08-2960

Joyce A. Hergert, etc. v. Actavis Group hf, et al.

NJ 2 08-2976

Michael Pasken, et al. v. Actavis Group hf, et al.

NJ 2 08-3325

Jerry Bratcher, et al. v. Actavis Group hf, et al.

NJ 2 08-3348

Dona E. Bellamy, et al. v. Actavis Group hf, et al.

NJ 2 08-3349

Bertina E. Hoover, et al. v. Actavis Group hf, et al.

NJ 2 08-3350

Arika Elizabeth Morrow, etc. v. Actavis Totowa, LLC, et al.

NJ 2 08-3351

Phillip Mariam, et al. v. Actavis Group hf, et al.

NJ 2 08-3352

Jeanette Mcanly v. Actavis Group hf, et al.

NJ 2 08-3449

Ernestine Moore v. Actavis Group hf, et al.

NJ 2 08-3473

Marlene Lydia Bradaway, et al. v. Actavis Group hf, et al.

OHIO SOUTHERN

OHS 3 08-276

Sandra J. Marcum, etc. v. Actavis Group hf, et al.

PENNSYLVANIA EASTERN

PAE 2 08-2506

John Tucker, et al. v. Actavis Group hf, et al.

TENNESSEE EASTERN

TNE 1 08-134

Delores J. Keith, etc. v. Actavis Totowa, LLC, et al.

TNE 1 08-179

Benny Shope, etc. v. Actavis Totowa, LLC, et al.

TEXAS SOUTHERN

TXS 4 08-1995

Jennifer McCorquodale, etc. v. Actavis Group hf, et al.

WEST VIRGINIA NORTHERN

WVN 1 08-146

Robert Bey, et al. v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-147

Dorothy Boullion v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-148

Julie Carello v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-149

Janetta Clark v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-150

Robert Hemberger v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-151

Vincent Maddi v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-152

Thomas Murkowski v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-153

Ray Murphy v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-154

Roberta Sener v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-155

Errol Simpson v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-156

Ronald Wooten v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-157

Alan Zacek v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-158

Edmond Kazzi v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-159

Andrew Porter v. Mylan Pharmaceuticals, Inc., et al.

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

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IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

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IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

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on
MULTIDISTRICT LITIGATION

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Western District of Kentucky

MEMBERS:
Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
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September 8, 2008

Teresa Deppner, Clerk
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Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-1)

Dear Ms. Deppner:

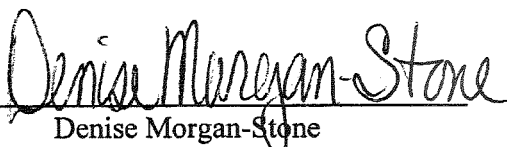
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 21, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Denise Morgan-Stone
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Joseph R. Goodwin
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)